

Request for reconsideration  
U.S. Appl. No.: **10/595,623**  
Attorney Docket No. **PSA0313157**

**REMARKS**

As a preliminary, Applicant and Applicant's representative thank the Examiner for the personal interview which was held on September 11, 2008.

Claims 1-14 are pending in the present application. Claims 1 and 8 are the only independent claims.

In the Office Action, claims 1-3, 7, 8-10 and 14 are rejected under 35 U.S.C. 102(b) as anticipated by US 6,598,387 to Carberry et al. ("Carberry").

Further, claims 4-6 and 11-13 are rejected under 35 U.S.C. 103(a) as obvious over Carberry in view of US 4,655,037 to Rao ("Rao").

Reconsideration and withdrawal of the rejections is respectfully requested. As discussed at the interview, Carberry at step 80 on Fig. 3 discloses to immediately interrupt the temperature raising procedure (which includes post injection) after a temperature threshold has been reached, but Carberry does not determine a maximum duration of post-injection and interrupt or progressively reduce the or each post-injection if the duration of post-injection utilization reaches the predetermined maximum duration, because interruption of the postinjection is determined in real time as a function of the temperature in Carberry.

In contrast, the presently claimed invention as recited in present claims 1 and 8 provides for:

- responding to said temperature to determine a maximum duration of post-injection application during stages in which the engine is returning to idling as a result of the accelerator pedal being raised and stages during which the engine is idling; and

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- (i) immediately interrupting the or each post-injection if the duration of post-injection utilization reaches the predetermined maximum duration of application during a stage of returning to idling, and (ii) progressively reducing the or each post-injection when the duration of post-injection utilization reaches the predetermined maximum duration of application during a stage of the engine idling.

This feature of the presently claimed invention and its advantages are not taught or suggested in any of the cited references. Therefore, the present claims are not anticipated by Carberry, and not obvious over the cited references taken alone or in any combination.

Further, with respect to the dependent claims, it is submitted that the cited references fail to teach or suggest the combined features of each of these claims. Therefore, each of these respective claims is not obvious over the cited references taken alone or in any combination.

In view of the above, it is submitted that the rejections should be withdrawn.

#### Conclusion

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 502759.

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Respectfully submitted,

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